

THE STATUTE LAWS OF CYPRUS

No. 34 of 1958.

A LAW TO PROVIDE FOR THE ESTABLISHMENT OF A CORPORATE BODY TO BE CALLED THE CYPRUS BROADCASTING CORPORATION AND FOR THE EXERCISE AND PERFORMANCE BY SUCH BODY OF FUNCTIONS RELATING TO BROADCASTING BY SOUND OR TELEVISION AND FOR PURPOSES CONNECTED THEREWITH.

HUGH FOOT,] [24th October, 1958.
Governor.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows :—

PART I.—PRELIMINARY.

1. This Law may be cited as the Cyprus Broadcasting Corporation Law, 1958.

Interpre-
tion.
Cap. 211
8 of 1958
4 of 1954
17 of 1958
17 of 1958
17 of 1958

Interpre-
tation.

2. In this Law, unless the context otherwise requires—

“ Board ” means the Board of Referees established under sub-section (2) of section 14 ;

“ broadcasting services ” means services by which matter is sent by wireless telegraphy for general reception or is distributed through a radio distribution service, either in sound or in visual images with sound ;

“ Chairman ” means the Chairman of the Corporation appointed under paragraph (a) of sub-section (1) of section 5 ;

“ Corporation ” means the Cyprus Broadcasting Corporation established under section 4 ;

“ Director-General ” means the person appointed to that office under section 9 ;

“ financial year ” means a year beginning on the first day of January :

Provided that the period between the vesting date and the first day of January next following shall be deemed to be a financial year.

“ functions ” includes powers and duties ;

“ immovable property ” has the same meaning as in section 2 of the Immovable Property (Tenure, Registration and Valuation) Law ;

“ member ” means a member of the Corporation appointed as such under paragraph (b) of sub-section (1) of section 5 ;

“ receiving station ” means a station for the receipt of messages or other matter, including matter sent by television, transmitted from a transmitting station ;

“ transmitting station ” means a station for the transmission by wireless telegraphy of messages or other matter, including matter sent by television ;

“ Tribunal ” means the Compensation Assessment Tribunal established under the Compensation Assessment Tribunal Law, or any Law amending or substituted for the same ;

“ vesting date ” means a date appointed by the Governor by notice in the *Gazette* to be the vesting date ;

“ wireless telegraphy ” means any system of communication by telegraph, as defined in the Wireless Telegraphy Laws, 1952 and 1955, without the aid of any wires connecting the points from and at which the messages or other matter including matter sent by television are sent and received.

3. Where powers are conferred or duties imposed by or under this Law on the Corporation such powers or duties may be exercised or performed by or through any servant or agent of the Corporation authorised in that behalf by the Corporation,

Cap. 231
8 of 1953
4 of 1954

43 of 1955

7 of 1952
37 of 1955

Functions
of the
Corporation
may be dis-
charged
by its
servants.

PART II.—ESTABLISHMENT AND CONSTITUTION
OF THE CYPRUS BROADCASTING CORPORATION.

4. There is hereby established a body to be called the Cyprus Broadcasting Corporation which shall be a body corporate with perpetual succession and a common seal and with power to acquire, hold and dispose of property, to enter into contracts, to sue and to be sued in its said name and to do all things necessary for the purposes of this Law :

Establishment and incorporation of Cyprus Broadcasting Corporation.

Provided that, during the subsistence of a guarantee given under section 25, the Corporation shall not alienate, mortgage, charge or demise any of its immovable property without the approval of the Governor :

Provided further that until a seal is provided, a stamp bearing the inscription " Cyprus Broadcasting Corporation " may be used as the common seal.

5.—(1) The Corporation shall consist of—

Constitution.

(a) a Chairman appointed by the Governor ; and

(b) not more than four persons appointed by the Governor to be members ;

(c) the person for the time being holding the office of the Director-General, who shall be a member of the Corporation *ex officio* but who shall not have the right to vote on any question to be decided by the Corporation.

(2) The Chairman and the members of the Corporation appointed under paragraph (b) of sub-section (1) of this section shall hold office for a period of three years :

Provided that the Governor may, at any time, remove the Chairman, Director-General or any member of the Corporation from office without assigning any reason therefor.

(3) The Governor may at any time accept the resignation of the Chairman, Director-General or any member of the Corporation.

(4) The Corporation may act notwithstanding any vacancy in its membership.

6.—(1) In case of incapacity from illness or any other temporary cause or of temporary absence from the Colony of the Chairman, the Governor may appoint some other person to act as Chairman, during the time such incapacity or absence continues, and such person shall while the appointment subsists exercise and perform all the functions of the Chairman.

Temporary appointments.

(2) In case of incapacity from illness or any other temporary cause or temporary absence from the Colony of any member, other than the Director-General, the Governor may appoint some other person to act as member during the time such incapacity or absence continues and such person shall, while the appointment subsists exercise and perform all the functions of such member.

Quorum.

7.—(1) The quorum at all meetings of the Corporation shall be three members, other than the Director-General, present in addition to the Chairman.

(2) The Chairman shall preside at all meetings.

(3) When the votes of the persons present at a meeting with regard to any question shall be equally divided the Chairman shall have a casting vote in addition to his own.

Standing Orders.

8. Subject to the provisions of this Law, the Corporation may make standing orders regulating its own procedure generally, and, in particular but without prejudice to the generality of the foregoing, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes, and the opening, keeping, closing and audit of accounts.

Director-General.

9.—(1) There shall be an officer of the Corporation to be known as the Director-General who shall be the chief executive officer of the Corporation and shall be responsible for the execution of the policy of the Corporation and the administration of its day-to-day business.

(2) The Corporation shall delegate to the Director-General such of its functions under this Law as are necessary to enable him to transact effectively the day-to-day business of the Corporation of every kind whatsoever.

(3) The first appointment to the office of Director-General shall be made by the Governor and any subsequent appointments to this office shall be made by the Governor after consultation with the Corporation.

PART III.—SERVANTS OF THE CORPORATION.

Servants of the Corporation.

10. The Corporation shall appoint such servants as it may deem necessary for the discharge of its functions under this Law upon such terms and conditions of service as it may determine.

Certain persons to be public officers.

Cap. 13.
27 of 1949
12 of 1951
26 of 1951
6 of 1952
28 of 1952
4 of 1953
28 of 1954
20 of 1955
13 of 1956
27 of 1958.

11.—(1) The Chairman, Director-General, all members and servants of the Corporation shall be deemed to be employed in the public service within the meaning of the Criminal Code or any law amending or substituted for the same.

(2) The Corporation shall be deemed to be a public body for the purposes of the Public Bodies and Public Offices (Appointments) Law or any law amending or substituted for the same and the Chairman, Director-General, members and servants of the Corporation shall be deemed to hold public office for the purposes of that Law.

Cap. 138

A
1963

12. The Corporation may, with the approval of the Governor, make regulations generally relating to the conditions of service of servants of the Corporation and in particular, but without prejudice to the generality of the foregoing, may make regulations relating to—

Power to make regulations relating to servants.

- (a) the appointment, promotion, dismissal, discipline, remuneration and leave of, and the security to be given by, such servants ;
- (b) appeals by such servants against dismissal or other disciplinary measures ;
- (c) the grant of pensions, gratuities and other retiring allowances to such servants and their dependants ; and the grant of gratuities to the estates or dependants of deceased servants of the Corporation ;
- (d) the establishment and maintenance of medical benefit funds, superannuation funds or provident funds, and the contributions payable thereto and the benefits receivable therefrom.

13.—(1) The Corporation shall, subject to the provisions of this section, employ such officers, being officers on the established staff of or serving on contract with the Government of Cyprus, as may be seconded by the Governor from the service of the Government on the vesting date.

Officers seconded from Government service.

(2) The Governor may at any time determine the secondment of an officer who has been seconded to the service of the Corporation under the provisions of this section, but no request by the Corporation to the Governor for the determination of the secondment of any such officer shall be made unless the Corporation shall first have given to the officer written notice of the intention to make such request.

14.—(1) Within a period of one year from the vesting date the Corporation shall offer to every officer seconded to the Corporation from the service of the Government of Cyprus employment by the Corporation upon such terms and conditions as may be set out in such offer.

Offers of employment with the Corporation.

(2) For the purposes of sub-section (1) of this section there shall be established a Board of Referees which shall consist of three members, appointed by the Governor, one of whom shall be legally qualified who shall be President, and any seconded officer who receives an offer of employment by the Corporation under sub-section (1) may appeal to the Board if he considers that the terms and conditions contained in such offer are less favourable than those enjoyed by him on the date of such offer.

(3) The Board shall hear and determine any appeal made under the provisions of sub-section (2) of this section and may reject the appeal or may return the offer aforesaid to the Corporation for further consideration or may vary the terms and conditions of any such offer and where any terms and conditions of any offer are varied as aforesaid such offer shall then be made to such officer in such varied form.

RA 1961
A 1959
AA 1962

(4) The Board shall not vary the terms and conditions contained in any offer merely because they are not in all respects identical with or superior to the terms enjoyed by such officer at the date of such offer if the terms and conditions, taken as a whole, in the opinion of the Board, offer substantially equivalent or greater benefits.

(5)—(a) The quorum of the Board for the purposes of hearing and disposing of appeals, shall be one member present in addition to the President.

(b) The President of the Board shall preside at all appeals to the Board :

Provided that when the votes of the members present with regard to any appeal or any question therein shall be equally divided the President shall have a casting vote in addition to his own.

15.—(1) Any officer who fails within one year to accept in writing an offer made to him by the Corporation in accordance with section 14 shall be deemed to have refused such offer.

(2) If an officer refuses an offer of employment made to him by the Corporation in pursuance of this Part, the obligation imposed by sub-section (1) of section 13 on the Corporation to employ the officer shall determine upon the expiration of the period of six months next following the date of such refusal.

16. When an officer accepts an offer of employment made in pursuance of section 14 his service with the Corporation shall be deemed to have commenced, and his service with the Government of Cyprus to have ceased on the date specified in such offer.

PART IV.—FUNCTIONS OF THE CORPORATION.

17.—(1) It shall be the duty of the Corporation to—

- (a) operate by sound or television a public broadcasting service for reception by the public ;
- (b) control and operate such installations and plant as are, or may be, acquired by the Corporation under the provisions of this Law ;
- (c) control and operate the property of the Corporation in such manner as it may deem expedient ;
- (d) promote the development of the broadcasting service whether in Cyprus or abroad in accordance, as far as practicable, with recognised international standard practice ;
- (e) advise the Governor on all matters relating to the broadcasting service and to matters appertaining to the Corporation generally.

(2) For the purposes of sub-section (1) of this section the Corporation may, either in its own name or through any agent—

- (a) erect, maintain and operate transmitting and receiving stations ;
- (b) install and operate wired radio distribution services ;
- (c) enter into arrangements with the Government for the purpose of obtaining licences, rights, privileges and concessions ;

Effect of refusal of offer of employment with the Corporation.

Acceptance of offer by Corporation.

General function.

- (d) produce, manufacture, purchase or otherwise acquire, and sell or otherwise dispose of gramophone and other mechanical records and materials and apparatus for use in connection with films and records and use them in connection with broadcasting services ;
- (e) provide and receive from other persons matter to be broadcast ;
- (f) organise, provide and subsidise public entertainment for the purpose of broadcasting ;
- (g) collect news and information in any part of the world and in any manner that may be thought fit and establish and subscribe to news agencies ;
- (h) establish offices or agencies in any part of the country ;
- (i) acquire or sell copyright ;
- (j) publish and circulate with or without charge printed matter that may be conducive to the performance of any of the duties of the Corporation ;
- (k) do anything which it may deem expedient for the purpose of advancing the skill of persons employed by the Corporation, or the efficiency of the equipment of the Corporation, or the manner in which that equipment is operated, including the provision by the Corporation and the assistance of the provision by others of facilities for training, education and research ;
- (l) accept advertisements for broadcasting with or without charge provided that they do not conflict with the general policy of the Corporation ;
- (m) with the approval of the Governor enter into arrangements with commercial broadcasting interests to lease from the Corporation the use of its sound and television transmitters and studios for certain specified times :
 Provided that any transmissions conducted by any such a commercial organisation shall be conducted in accordance with the provisions of this Law and with the policy laid down by the Corporation ;
- (n) do all such other things as the Corporation may consider necessary in the furtherance of its duties.

18. For the purpose of performing its functions under this Law the Corporation shall be exempt from the provisions of section 4 of the Telegraphs Law and from the provisions of section 3 of the Wireless Telegraphy Laws, 1952 and 1955, or any provisions amending or substituted for the same.

Exemption.

Cap. 282
7 of 1952
37 of 1955.

19.—(1) The Corporation shall conduct the broadcasting services with impartial attention to the interests and susceptibilities of the different communities and with due regard to the interests of minority communities in the Colony.

Service to be provided.

(2) The Corporation shall operate the broadcasting services in the Greek, Turkish and English languages and any other languages at its discretion and shall at all times keep a fair balance in the allocation of broadcasting hours and other matters between these languages.

(3) The Corporation shall at all times keep a fair balance in the allocation of broadcasting hours as between any political parties.

(4) If at any time the Governor so requires it shall be the duty of the Corporation to provide a broadcasting service for reception in such countries and places outside the Colony as the Governor may direct.

Advisory
Committees.

20.—(1) The Corporation shall appoint advisory committees to be known as the Greek Programme Advisory Committee and the Turkish Programme Advisory Committee to advise the Corporation on matters concerning the content of programmes broadcast in the Greek or Turkish languages respectively.

(2) The Corporation may appoint one or more other advisory committees to advise the Corporation on any other matter concerning the broadcasting services and other business of the Corporation.

(3) A Committee appointed under the provisions of sub-section (1) or sub-section (2) shall consist of such persons, whether or not members, officers or servants of the Corporation, as the Corporation may think fit.

(4) The Corporation shall make provision for a Chairman or other presiding member of each such committee and for the quorum thereof, and may make rules for the frequency of meetings, the summoning of meetings, the procedure at meetings, and the manner in which matters shall be referred to the committee for advice by the Corporation and the advice of the committee transmitted to the Corporation, and subject to any such rules the committee shall regulate its own procedure.

(5) The Corporation shall provide such secretarial or other assistance to a committee as the Corporation may think fit.

(6) The Corporation may pay to the members of a committee who are not members, officers or servants of the Corporation such allowances and expenses as the Corporation may determine :

Provided that no allowances, except such allowance for expenses as may be expressly authorised by the Governor, shall be paid to any person who holds a public office or is an officer or servant of the Corporation.

News
bulletins.

21. The Corporation shall include in its programmes a service of basic news which shall be transmitted daily as frequently as the Corporation may determine in the Greek, Turkish and English languages, and may at its discretion include additional news bulletins in the Greek and Turkish languages devoted to news of particular interest to the communities concerned.

Certain
matter to
be broadcast
or sent.

22.—(1) The Corporation shall, whenever so requested by an authorised officer in the public service or an authorised police officer broadcast at the Corporation's own expense any announcement or other matter (with a visual image of any picture or object mentioned in the announcement or other matter if it is sent from any television station operated by the Corporation) which the officer may request the Corporation to broadcast :

Provided that the Corporation when broadcasting or sending such announcement or other matter may at its discretion announce or refrain from announcing that it is sent at the request of an authorised officer in the public service or an authorised police officer.

(2) In sub-section (1) of this section the expression "authorised officer in the public service" means any officer declared to be such by the Governor by notice in writing to the Corporation and the expression "authorised police officer" means any officer of the Cyprus Police Force not below the rank of Assistant Chief Constable.

(3) The Governor may from time to time by notice in writing require the Corporation to refrain at any specified time or at all times from broadcasting or sending any matter or matter of any class specified in such notice, and the Governor may at any time or times vary or revoke any such notice :

Provided that the Corporation may in its discretion announce or refrain from announcing that such a notice has been given or has been varied or revoked.

PART V.—FINANCIAL PROVISIONS.

23. For the purpose of enabling the Corporation to carry out its functions under this Law, the Corporation may, with the consent of or according to any general authority given by the Governor, borrow money in such manner and subject to such conditions as the Governor may deem fit to impose and in particular, but without prejudice to the generality of the foregoing, may borrow money from the Government.

Power to borrow.

24.—(1) The Corporation may, for the purpose of raising money which it is authorised to borrow under section 23 issue stock debentures or other securities (hereinafter in this law referred to as "securities").

Power to issue securities.

(2) All such securities and interest thereon shall be charged on the undertaking and on all the revenues of the Corporation.

(3) Subject to the provisions of this Law, any securities created by the Corporation under the powers of this Law shall be issued, transferred, dealt with and redeemed according to regulations made by the Corporation with the approval of the Governor.

25. The Government may guarantee in such manner and upon such terms as it may think fit the payment of the interest and principal or either of them, of any loan proposed to be raised by the Corporation.

The Government may guarantee loans.

26. As soon as may be after the end of any financial year, but in any case before thirty-first day of March next following the Postmaster-General shall pay to the Corporation all fees received by him during such financial year in payment for the issue of wireless telegraphy receiving licences under the Wireless Telegraphy Laws, 1952 and 1955, or any Law amending or substituted for the same or under any regulations made under any such law :

Wireless licence fees to be paid to Corporation.

7 of 1952
37 of 1955.

Provided that the Postmaster-General may retain from the amount payable to the Corporation under this section the amount of any expenses necessarily incurred in the issue of such licences and the collection of such fees but in no case shall the Postmaster-General retain more than ten per centum of the total sum of fees received by him under this section.

Monies received.

27. All monies received by the Corporation shall be paid into a separate fund, and out of that fund all monies legally due and owing by the Corporation shall be paid :

Provided that any monies not immediately required to be expended in the meeting of any obligation or the discharge of any function may be invested in such securities as may be approved by the Governor.

Application of Revenue.

28. The revenue of the Corporation in any year shall be applied to pay all remunerations, allowances, salaries, pension contributions, gratuities, working expenses and all other outgoings of the Corporation properly chargeable to income in that year including the payments falling to be met in such year by the Corporation in respect of the interest on any money borrowed by the Corporation and such sums as the Corporation may think proper to set aside in that year for reserve fund, extensions, renewals, depreciation, loans and other like purpose.

Estimates.

29. The Corporation shall prepare and present to the Governor each year estimates of its revenue and expenditure for the year following.

Accounts.

30.—(1) The Corporation shall cause proper books and accounts in respect of its operations to be kept and an annual statement of accounts to be prepared as a commercial corporation.

(2) The accounts of the Corporation shall be audited by auditors to be appointed annually by the Corporation with the approval of the Governor.

(3) As soon as the accounts of the Corporation have been audited the Corporation shall furnish a copy of the statement of accounts to the Governor for his approval together with a copy of any report made by the auditors on that statement or on the accounts of the Corporation and shall publish the statement of accounts and report in such manner as the Governor may direct.

Annual report.

31.—(1) The Corporation shall, as soon as practicable after the end of each financial year, cause to be made and transmit to the Governor a report dealing generally with the activities of the Corporation during the preceding financial year, and containing information relating to the proceedings and policy of the Corporation.

(2) If in the opinion of the Governor, the report can be made public without detriment to the interests of the Corporation or the Government such report may be published by the Corporation after its submission to the Governor.

Exemption from taxation and stamp duties.

32. The Corporation shall be exempt from—

- (a) payment of any dues or duties under any Customs Law for the time being in force on machinery, including parts and accessories, apparatus, appliances, vehicles, instruments, tools and stores and materials of whatsoever kind imported for use by or on behalf of the Corporation and not intended for sale to the general public ;
- (b) payment of stamp duty under any Law for the time being in force relating to stamp duties.

PART VI.—ACQUISITION OF IMMOVABLE PROPERTY
AND POWERS OF ENTRY AND MATTERS
INCIDENTAL THERETO.

33.—(1) The Corporation may acquire immovable property for the purpose of any of its functions under this Law and, if any such immovable property cannot be acquired by agreement, the Corporation shall cause a notice in the form set out in the First Schedule to be published in the *Gazette* and also to be posted at a conspicuous place in the town or village in which the immovable property to be acquired is situated.

Power to
acquire
immovable
property.
First
Schedule.

(2) At the expiration of the period set out in the notice, the Corporation shall forward to the Governor a plan of the immovable property to be acquired together with particulars as regards its owners, estimated value, description and other matter as may be necessary for the purpose together with any objection or statement made against the proposed acquisition.

(3) If the Governor approves the plan submitted and considers it expedient, having regard to all the circumstances, that the Corporation should be permitted to acquire the immovable property in question, he may, by notification published in the *Gazette*, sanction the acquisition of such immovable property ; and, thereupon, the immovable property shall vest absolutely in the Corporation free from all encumbrances and the Director of Lands and Surveys shall cause amendments of registration to be effected in accordance with the plan and particulars so approved by the Governor ; and, if the owner of the immovable property does not agree with the Corporation as to the sum which, subject to approval of the Governor, shall be paid as compensation for it, the sum shall be determined in accordance with the provisions of any Law in force for the time being, providing for the acquisition of land for public purposes.

34.—(1) The Chairman or any person authorised by him in writing in that behalf may, at all reasonable times, enter upon any land and there do such acts or things as may be reasonably necessary for the purpose of erecting, maintaining or inspecting any installations belonging to the Corporation or of repairing, altering or removing any such installations and may, in the course thereof, fell or lop trees, remove vegetation, hedges, drywalls or other things as may interfere or be likely to interfere with the construction or proper working of any installation.

Powers of
entry, etc.

(2) Before entering upon any land for any of the purposes defined in sub-section (1) the Corporation shall give at least twenty four hours prior notice in writing to its occupier which notice may be served either personally or by delivery of the same at the place of abode of the person to be served :

Provided that where the condition of any installation is such as to endanger life or property, the Corporation may enter on the land on which it is situated for any of the purposes defined in sub-section (1) without notice.

(3) Where any property is destroyed or damaged in the exercise of the powers conferred by sub-section (1) of this section compensation shall be paid to the owner thereof which, if not otherwise agreed upon between the parties, shall be determined by two referees one to be appointed by the Corporation and the other by such owner.

(4) If the referees appointed under sub-section (3) of this section fail to agree upon the amount of compensation to be paid to the owner the matter shall be referred to the Tribunal for final determination.

Wayleave
agreements.

35. Nothing in section 33 shall—

- (a) affect the right of the Corporation to enter into a contract for the grant of a wayleave with the owner or occupier of any land for the purpose of laying, placing, carrying or erecting any installation and plant on such land ;
- (b) affect any contract granting a wayleave to the Government subsisting on the vesting date and transferred to the Corporation under the provisions of this Law.

PART VII.—TRANSFER OF ASSETS AND LIABILITIES.

Transfer of
assets.

36.—(1) Prior to the vesting date the Corporation shall enter into an agreement with the Governor for the acquisition by the Corporation of the assets of the broadcasting undertaking of the Government as described in the agreement and subject to the terms and conditions contained in the agreement.

Cap. 231
8 of 1953
4 of 1954.
Cap. 233
24 of 1952
22 of 1956.

(2) Notwithstanding anything in the Immovable Property (Tenure, Registration and Valuation) Law or in the Land Acquisition Law or in any other Law, upon the vesting date the assets of the broadcasting undertaking to be acquired by the Corporation under the agreement made under sub-section (1) of this section shall vest in the Corporation by virtue of and subject to the terms and conditions of such agreement without further assurance.

(3) The Corporation shall, as soon as practicable after the vesting date, pay to the Government for assets of the broadcasting undertaking acquired under the agreement aforesaid the consideration provided in such agreement.

(4) Any assets transferred to the Corporation under this section which were purchased with funds provided by the Colonial Development and Welfare Corporation shall not be sold or otherwise disposed of by the Corporation without the Governor's consent having first been obtained and the Governor shall not give his consent without prior consultation with the Secretary of State.

Advance
account.

37.—(1) So soon as may be after the vesting day the Corporation shall, in respect of any monies borrowed from the Government by the Corporation to provide for working capital, create an advance account in favour of the Government equivalent to the total amount of such advances.

(2) The advance account created under sub-section (1) shall be subject to such conditions as to interest and repayment as the Governor may from time to time determine.

38. Contracts to which the provisions of the Second Schedule apply shall have effect in favour of and against the Corporation as therein mentioned and to the extent therein mentioned as if instead of the Government the Corporation had been named therein or had been a party thereto.

Transfer of rights and liabilities under contracts. Second Schedule.

39. Any proceedings or cause of action pending or existing immediately before the vesting day by or against the Government in respect of assets transferred under the provisions of this Law may be continued or enforced by or against the Government as if this Law had not been enacted.

Pending proceedings and cause of action.

PART VIII.—LEGAL PROCEEDINGS.

40.—(1) No suit against the Corporation, the Chairman or members thereof, the Director-General or any servant of the Corporation for any act done in pursuance or execution or intended execution of any Law, or of any public duty or authority, or in respect of any alleged neglect or default in the execution of such Law, duty or authority, shall lie or be instituted in any court unless it is commenced within six months next after the act, neglect or default complained of or, in the case of a continuance of damage or injury, within twelve months next after the ceasing thereof.

Actions against Corporation and persons connected therewith.

(2) No suit shall be commenced against the Corporation until one month at least after written notice of intention to commence the same shall have been served upon the Corporation by the intending plaintiff or his agent ; and such notice shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

41. The notice referred to in the last preceding section and any summons, notice or other document required or authorised to be served upon the Corporation under the provisions of this Law or any other Law may, unless in any case there is express provision to the contrary, be served by delivering the same to the Chairman or Director-General of the Corporation, or by sending it by registered post addressed to the Director-General of the Corporation at the principal office of the Corporation.

Service of notice.

42. In any suit against the Corporation no execution or attachment or process in the nature thereof shall be issued against the Corporation, but any sums of money which may by the judgment of the court be awarded against the Corporation shall, subject to any directions given by the court where notice of appeal has been given by the Corporation in respect of the said judgment, be paid by the Corporation from the funds of the Corporation.

Satisfaction of judgments against the Corporation.

43.—(1) In any suit the Corporation if it so desires may be represented in court at any stage of the proceedings by the Director-General or by any servant of the Corporation who shall satisfy the court that he is duly authorised in writing by the Corporation in that behalf.

Representation of the Corporation.

(2) For the purpose of this Part "suit" means a civil proceeding commenced by writ of summons or in such other manner as may be prescribed by rules of court but does not include a criminal proceeding.

PART IX.—EMERGENCY POWERS.

Provisions applicable on occasion of an emergency.

44.—(1) If at any time in the opinion of the Governor an emergency has arisen in which it is expedient in the public interest that the Government should have control over the transmission of messages or any other matter whatsoever by means of the transmitting stations owned or operated by the Corporation, the Governor may declare that the provisions of this section shall come into operation and thereupon the Governor or any person authorised by him may—

- (a) take possession of any transmitting station owned or operated by the Corporation or any apparatus at such station and use such apparatus for official purposes ; or
- (b) place any person in control of any such station or apparatus ; or
- (c) direct the Corporation to submit to him all or any communication tendered for transmission ; or
- (d) stop or delay or direct the Corporation to stop or delay the transmission or delivery of any such communications or to deliver them to him ; or
- (e) direct the Corporation to comply with all such directions as he may think fit to give with reference to the transmission of communications.

(2) If and whenever the Governor exercises the powers conferred upon him by sub-section (1) the Corporation shall be entitled to receive from the Government—

- (a) compensation for any damage done to the property of the Corporation, being damage directly attributable to the exercise of any such powers ; and
- (b) such sums as are required to defray any expenses which, regard being had to the nature of the emergency, have been properly and necessarily incurred by the Corporation in respect thereof.

(3) In case of dispute as to the amount of compensation payable under this section, the amount of the compensation shall be determined by the Tribunal.

FIRST SCHEDULE.

(Section 33).

CYPRUS BROADCASTING CORPORATION.

Notice is hereby given that the following immovable property (*describe immovable property, giving measurements and showing boundaries whenever practicable*) is required by Cyprus Broadcasting Corporation for the purposes of its functions.

Any person claiming to have any right or interest in the said immovable property, who objects to the acquisition, is required within six weeks from the date of this notice to send to me a statement of his right and interest and of the evidence thereof, and of his objection and the grounds therefor.

The Corporation is willing to treat for the acquisition of the said immovable property.

A plan showing the immovable property described above is available for inspection at

The day of _____

, 195 .

Chairman of the Cyprus Broadcasting Corporation.

SECOND SCHEDULE.

(Section 38.)

TRANSFER OF CONTRACTS.

1. The provisions of this Schedule shall apply to the contracts to which the Government is a party which appear on a list prepared and agreed between the Government and the Corporation prior to the vesting day.

Contracts vesting in the Corporation to be listed.

2.—(1) The list of contracts so agreed between the Government and the Corporation shall be signed by the Governor.

(2) The Corporation shall, as soon as may be after the list of contracts is signed by the Governor under sub-paragraph (1), inform in writing the parties, other than the Government, to any contract which appears on the list of contracts so signed that under the provisions of the Law the contract shall have effect in favour of and against the Corporation so far as the performance thereof is due under the contract on or after the vesting day as if the Corporation had been a party to the contract instead of the Government.

3. The provisions of a contract, being provisions to which this Schedule applies, shall have effect in favour of and against the Corporation so far as the performance thereof is due under the contract on or after the vesting day as if the Corporation had been a party to the contract instead of the Government.

Application of vested contracts to Corporation.

A. F. J. REDDAWAY,

Administrative Secretary.

24th October, 1958.

THE CYPRUS GAZETTE No. 2418 THE GOVERNMENT OF CYPRUS

LEGISLATION

THE MARK HANDLING AND LABELLING LAW

ARRANGEMENT OF SECTIONS

Section.

1. Short title.

2. Interpretation.

3. Power to require indication of origin.

4. Power to grant provisional exemption from the provisions of section 3.

5. Removal of indication of origin.

6. Marks or substances examined.

7. Application of the Law to vessels.

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